

OFFICE ACTION

Notification of Reasons for Refusal

Ref. : P0461US

No. 327573

Mailing date: September 7, 2004

Japanese Application No. 2001-502106

Examiner : Naoki MATSUKAWA

Applied Articles : Japanese Patent Law 29bis and 37

It is concluded that the present application should be rejected for the following reasons. If the applicant has any argument on the reason, such an argument must be filed within three months from the mailing date of this Official Action.

Reason 1.

It is considered that the present application should be rejected on the ground that it does not satisfy the essential conditions as provided for in Art. 37 of the Japanese Patent Law on the points mentioned below.

Reason 2.

It is considered that the inventions claimed in Claims described as follows should not be granted a patent as provided for in Art. 29bis of the Japanese Patent Law, since the invention claimed in the present patent application is identical with an invention disclosed in the specification or drawings originally attached to the request of another application for a patent mentioned below which was filed prior to the filing date of the present patent application and was published after the filing of the present patent application, and the inventor of the application is not

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the same person as the inventor of the another application for a patent, and, at the time of filing of the patent application, the applicant of the present patent application and the applicant of the another application for a patent are not the same person.

Note

A. Reason 1

Invention in Claim 1 has a principal part of the invention as follows.

An in-vehicle promotions system installed in a vehicle, comprising:

- a position receiver configured to provide position data for said vehicle;
- a controller connected to said receiver;
- a wireless communications device configured to receive promotional information and connected to said controller; and
- a display adapted to be installed in said vehicle and connected to said controller,

However, the principal part of the invention in Claims 43-57 and 60-64 are not taken as the principal part of the invention of this point. Moreover, since it is not admitted that Field of the Invention and the Problems to be solved of Claims 43-57 and 60-64 are not same as those of Claim 1, Claims 43-57 and 60-64 do not satisfy the requirements for Article 37 of the Patent Law.

Further, since the present application is not satisfy the requirements of Article 37 of the Patent Law, the inventions set forth in claims other than Claims 1-28 and 39-42 have not been examined with respect to requirements for patentability other than Article 37 of the Law.

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B. Reason 2

1. Earlier Application etc.

Earlier Application 1: The specification or drawing originally attached to the application of the Japanese Patent Application No. 11-100172 (Japanese Patent Publication No. 2000-292182)

The Earlier Application discloses:

An in-vehicle promotions system installed in a vehicle, comprising:

- a position receiver configured to provide position data for said vehicle (GPS);

- a controller connected to said receiver (although it is not written clearly, naturally it has);

- a wireless communications device configured to receive promotional information and connected to said controller (paragraph [0037]); and

- a display adapted to be installed in said vehicle and connected to said controller (refer to drawings),

- wherein said controller outputs said promotional information to said interior display based on said position data (refer to Fig. 6),

- characterized in that said system further comprises:

- a store system wirelessly linked with said wireless communications device (paragraph [0042] - [0043] and Fig. 6),

- said store system comprising:

- a second wireless communications device (paragraph [0006]);

- a store controller connected to said second wireless communications device; and

- said store controller providing automatic promotional benefits (coupon) to

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identified persons.

2. Comparison and Contrast

(1) Comparing Claims 1-8, 10-17, 19-21, 23-24 and 26-28 with the invention of the above-mentioned Earlier Application 1, although Earlier Application 1 does not have a printer, it has the constitution which downloads coupon data to a smart card (paragraph [0041]), "Desired area" is prepared as constitution equivalent to a zone (paragraph [0038]), and it has the "advertising selection means" as constitution equivalent to the constitution to search. Since Renewal of data and the constitution concerning operation of a memory means is only common use technology, the invention in Earlier Application 1 substantially has all constitution of the Claims 1-8, 10-17, 19-21, 23-24 and 26-28 of the present invention, therefore, is identical with the Claims of the present invention.

(2) Comparing Claims 29-42 with the invention of the Earlier Application 1, although it does not have a printer, it has the constitution which downloads coupon data to a smart card (paragraph [0041]). Moreover, although it is not a touch display, a touch display is a well-known input means, and it also has the constitution concerning personal identification information (paragraph [0006]). Since Renewal of data and the constitution concerning operation of a memory means is only common use technology, the invention of Earlier Application 1 substantially has all constitution of the Claims 29-42 of the present invention, therefore, is identical with the Claims of the present invention.

Therefore, Claims 1-8, 10-17, 19-21, 23-24, 26-28 and 29-42 should be rejected on the ground of Article 29bis of the Patent Law.

At present, about the invention in claims other than the claims pointed out in

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this notice of reasons for refusal, reason for refusal is not found.

The reason of refusal is notified when the reason of refusal is newly found.

Remarks

1. Earlier Application 1 : Specification or Drawing originally attached to Japanese Patent Application No.11-100172 (Japanese Unexamined Patent Publication No.2000-292182)

RECORD OF SEARCH

Searched Class(es) : IPC (7th) G09F19/00
G09B29/00-29/14

References : Japanese Unexamined Patent Publication No. 08-076706
Japanese Unexamined Patent Publication No. 09-244566

The RECORD OF SEARCH does not constitute reasons for refusal.

Where to call about the present reason(s) for rejection :

First Examination Department, Electronic Game, Tel: 03-3581-1101 Extension 3266.

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